

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

UNITED STATES OF AMERICA

v.

Criminal No. 3:09cr133

RODNEY LORENZO WAYTT, JR.

ORDER

Having considered the MOTION FOR COMPASSIONATE RELEASE PURSUANT TO SECTION 603(b) OF THE FIRST STEP ACT (ECF No. 113), the OPPOSITION OF UNITED STATES TO MOTION OF DEFENDANT FOR COMPASSIONATE RELEASE (ECF No. 115), and the REPLY MOTION FOR COMPASSIONATE RELEASE PURSUANT TO SECTION 603(b) OF THE FIRST STEP ACT, and finding that, on December 2, 2019, the defendant filed an appeal (ECF No. 104) to the United States Court of Appeals for the Fourth Circuit from the ORDER (ECF No. 103) denying a motion for reduction of sentence (ECF No. 94) in which the defendant seeks the same relief as is sought in the MOTION FOR COMPASSIONATE RELEASE PURSUANT TO SECTION 603(b) OF THE FIRST STEP ACT (ECF No. 113), it is hereby ORDERED that the Court lacks jurisdiction to entertain the MOTION FOR COMPASSIONATE RELEASE PURSUANT TO SECTION 603(b) OF THE FIRST STEP ACT (ECF No. 113) and hence that motion (ECF No. 113) is denied without prejudice.

It is so ORDERED.

/s/

Ref

Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: July 28, 2020